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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

In re
RONALD WATTS,
Debtor.

Case No. 2:18-BK-13651-MCW

Chapter: 7

**JOINT MOTION TO REOPEN
BANKRUPTCY CASE FOR ENTRY
OF AN AGREED ORDER
REGARDING THE
DISCHARGEABILITY OF A DEBT**

Debtor, Ronald Watts (“Watts” or “Debtor”)¹, and certain Plaintiffs in actions pending against Watts (the “Litigation Plaintiffs”) hereby jointly move this Court for an order reopening the above referenced bankruptcy case pursuant to 11 U.S.C. § 350(b) and Bankruptcy Rule 5010 to permit the entry of an agreed order confirming that to the extent Watts is found to be liable in pending or future tort lawsuits, and to the extent that his discharge in this action would otherwise exempt him from liability in the tort cases, that discharge does not impact any obligations that any third parties, such as the City of Chicago, have to indemnify Watts or otherwise satisfy any judgments against him. In support of this motion, the parties state as follows:

1. Watts filed a voluntary bankruptcy petition under Chapter 7 on November 7,

¹ Counsel for Watts on November 20, 2019 agreed to the Motion and Proposed order and does not oppose the relief sought herein.

1 2018.

2 2. When Watts filed for bankruptcy, he was aware that there were a number
3 civil rights lawsuits pending against him in the Northern District of Illinois related to his
4 alleged tortious conduct as a Chicago Police Officer and Sergeant. Namely, Ben Baker
5 and Clarissa Glenn sued Watts in September 2016, asserting federal and state claims
6 against Watts and other defendants for the harm they inflicted upon them. *See Ben Baker*
7 *and Clarissa Glenn v. Chicago et al.*, No. 16-cv-8940 (N.D. Ill.). Shortly, thereafter on
8 April 17, 2017, Lionel White, Sr. filed a civil rights Complaint in the United States
9 District Court for the Northern District of Illinois, asserting federal and state claims
10 against Watts and other defendants for the harm they allegedly inflicted upon him. *See*
11 *Lionel White, Sr. v. Chicago, et al.*, No. 17-cv-2877 (N.D. Ill.). Watts is represented by
12 counsel in both cases, and has participated in the litigation through motion practice and by
13 answering discovery requests. In July 2018, an additional 15 plaintiffs filed Complaints
14 against Watts with similar allegations. *See Exhibit 1* (Notice of Related cases filed in
15 *Baker*).

16 3. Furthermore, at the time he filed for bankruptcy, Watts knew, or reasonably
17 should have known, that it was likely a number of other civil rights lawsuits were going to
18 be filed against him in the near future. Namely, due to the scope and breadth of the
19 misconduct alleged against him (among other defendants), on July 12, 2018, the Northern
20 District of Illinois Executive Committee entered an order which consolidated the
21 aforementioned cases and any additional cases that may be filed with similar claims and
22 the same defendants for pretrial purposes. *See Exhibit 2* (Executive Committee Order).
23 Cases subject to the July 12, 2018 Executive Committee Order were assigned Master
24 Docket Case No. 19-cv-01717 with the caption *In re: Watts Coordinated Pretrial*
25 *Proceedings* and were assigned to the Honorable Judge Andrea Wood and the Honorable
26 Magistrate Judge Sheila M. Finnegan for coordinated pretrial proceeding.

4. When he filed for bankruptcy in November 2018, Watts failed to list or disclose the lawsuits pending against him. *See* Dkt. No. 1 at 38.

5. Because Watts did not disclose the pending lawsuits in his bankruptcy filing, the plaintiffs in those cases did not receive notice of the bankruptcy filing.

6. Watts, received a discharge on February 19, 2019. Dkt. 12.

7. The bankruptcy case was closed on July 3, 2019.

8. Debtor's failure to disclose the pending lawsuits on his bankruptcy documents and his failure to provide notice denied the plaintiffs, who are suing him or will sue him in the future, an opportunity to file a timely proof of claim and a determination of dischargeability of debt as required by 11 U.S.C § 521 and § 523(a)(3).

9. For the sake of clarity, movants do not seek to litigate the dischargeability of the debts as a general matter. Rather, they merely seek to reopen the bankruptcy proceedings for the limited purpose of requesting that the Court enter an agreed order confirming that, to the extent any of the contingent debts to the Plaintiffs were discharged, that discharge does not relieve any third-parties of any responsibility they may have to indemnify Watts or otherwise satisfy any judgments against him or settlements entered into with him in any related pending or future tort claims. A complete list of the known cases currently pending against Watts is attached hereto as **Exhibit 3**.

WHEREFORE, movants respectfully request that the Court enter an order reopening this bankruptcy case.

DATED this 21st day of November, 2019

FENNEMORE CRAIG, P.C.

By: /s/ Anthony W. Austin
Anthony W. Austin
Attorneys for the Litigation Plaintiffs

COPY of the foregoing
Emailed and/or mailed this
21st day of November, 2019 to:

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11 /s/ Gidget Kelsey
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EXHIBIT

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IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

BEN BAKER and CLARISSA)	
GLENN,)	Case No. 16-cv-8940
)	
Plaintiffs)	
)	Judge Andrea R. Wood
v.)	
)	Magistrate Judge Sheila Finnegan
CITY OF CHICAGO, <i>et al.</i>)	
)	JURY TRIAL DEMANDED
Defendants.)	

Plaintiffs' Notice of Related Cases

Pursuant to the attached executive order entered on July 12, 2018, Plaintiffs wish to apprise the Court of the following cases:

Marcus Gibbs v. City of Chicago, et al., Case No. 18-cv-5119
Leonard Gipson v. City of Chicago, et al., Case No. 18-cv-5120
Allen Jackson v. City of Chicago, et al., Case No. 18-cv-5121
Jamell Sanders v. City of Chicago, et al., Case No. 18-cv-5122
Shaun James v. City of Chicago, et al., Case No. 18-cv-5123
Thomas Jefferson v. City of Chicago, et al., Case No. 18-cv-5124
Frank Saunders v. City of Chicago, et al., Case No. 18-cv-5125
Anthony McDaniels v. City of Chicago, et al., Case No. 18-cv-5126
Andre McNairy v. City of Chicago, et al., Case No. 18-cv-5127
Christopher Scott v. City of Chicago, et al., Case No. 18-cv-5128
Lee Rainey v. City of Chicago, et al., Case No. 18-cv-5129
Taurus Smith v. City of Chicago, et al., Case No. 18-cv-5130
Henry Thomas v. City of Chicago, et al., Case No. 18-cv-5131
Phillip Thomas v. City of Chicago, et al., Case No. 18-cv-5132
Lionel White, Jr. v. City of Chicago, et al., Case No. 18-cv-5133

Plaintiffs' lawsuit seeks redress for constitutional violations committed by former Chicago Police Sergeant Ronald Watts as well as members of his team. The allegations in the cases listed above are similar to allegations made against Defendant Watts and members of his team in this case and in *White v. City of Chicago et al.*, 17 CV 2877. On July 12, 2018, the

Executive Committee of the United States District Court for the Northern District of Illinois ordered that cases with similar claims and the same defendants as those in *Baker* and *White* would be consolidated for discovery and assigned to Judge Wood and Magistrate Judge Finnegan for coordinated pretrial proceedings. *Baker*, Dkt. No. 172; *White*, Dkt. No. 102.; Ex. A. Accordingly, Plaintiffs wish to notify the Court and the parties of the above additional cases.

Respectfully submitted,

/s/Theresa Kleinhaus
One of Plaintiffs' Attorneys

Arthur Loevy
Jon Loevy
Josh Tepfer
Scott Rauscher
Sean Starr
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CERTIFICATE OF SERVICE

I, Theresa Kleinhaus, an attorney, certify that I served a copy of the foregoing on all counsel of record via the ECF System.

/s/Theresa Kleinhaus

EXHIBIT

2

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
ORDER OF THE EXECUTIVE COMMITTEE**

It appearing that, for reasons of judicial efficiency, coordinated pretrial proceedings in the cases listed below should be presided over by a single district judge as provided for by IOP 13(e) and that a single magistrate judge should be designated for these cases; and

It further appearing that the Hon. Andrea R. Wood has agreed to preside over these coordinated pretrial proceedings; and

It further appearing that Magistrate Judge Sheila M. Finnegan has agreed to be the designated magistrate judge in these coordinated pretrial proceedings; therefore

It is hereby ordered that Judge Wood shall preside over pretrial proceedings in the cases listed below; and

It is further ordered that Magistrate Judge Finnegan shall be the designated Magistrate Judge in the cases listed below; and

It is further ordered that these cases shall remain pending on the calendar of the judge to whom that it is currently assigned, and that an order be entered in each case by Judge Wood at such time as coordinated pretrial proceedings have concluded; and

It is further ordered than any additional cases that may be filed with similar claims and the same defendants shall be part of these coordinated pretrial proceedings.

<u>Case</u>	<u>Case Title</u>	<u>Judge</u>
16 CV 8940	Baker v. City of Chicago et al	Wood
17 CV 2877	White v. City of Chicago et al	Coleman
17 CV 5156	Powell v. City of Chicago et al	Blakey
17 CV 7241	Carter v. City of Chicago et al	Gettleman
18 CV 3474	Forney v. City of Chicago et al	Kendall
18 CV 3477	Shenault v. City of Chicago et al	Tharp
18 CV 3478	Shenault Jr. v. City of Chicago et al	Kendall

ENTER:

FOR THE EXECUTIVE COMMITTEE:



Chief Judge Rubén Castillo

Dated at Chicago, Illinois this 12th day of July, 2018.

EXHIBIT

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LIST OF PLAINTIFFS KNOWN PLAINTIFFS WITH CASES PENDING AGAINST RONALD WATTS

Plaintiff Last Name	Plaintiff First Name	Case No.¹	Court
Allen	Landon	19cv1082	U.S. District Court, Northern District of Illinois
Almond	George	19cv1098	U.S. District Court, Northern District of Illinois
Baker	Ben	16cv8940	U.S. District Court, Northern District of Illinois
Glenn	Clarissa	16cv8940	U.S. District Court, Northern District of Illinois
Bell	Deandre	19cv1090	U.S. District Court, Northern District of Illinois
Blair	Harvey	19cv127	U.S. District Court, Northern District of Illinois
Byrd	Darron	19cv3316	U.S. District Court, Northern District of Illinois
Carter	William	17cv07241	U.S. District Court, Northern District of Illinois
Carter	Raynard	19cv3317	U.S. District Court, Northern District of Illinois
Coleman	Bobby	19cv1094	U.S. District Court, Northern District of Illinois
Colvin	Craig	19cv01099	U.S. District Court, Northern District of Illinois
Curtis	Joshua	19cv128	U.S. District Court, Northern District of Illinois
Delaney	Milton	19cv01083	U.S. District Court, Northern District of Illinois
Dobbins	Gregory	19cv03322	U.S. District Court, Northern District of Illinois
Forney	Robert	18cv03474	U.S. District Court, Northern District of Illinois
Gibbs	Marcus	18cv5119	U.S. District Court, Northern District of Illinois
Gipson	Leonard	18cv05120	U.S. District Court, Northern District of Illinois
Glover	Cleon	19cv01084	U.S. District Court, Northern District of Illinois
Harvey	Sydney	19cv03324	U.S. District Court, Northern District of Illinois
Henderson	Rickey	19cv129	U.S. District Court, Northern District of Illinois
Hicks	Kenneth	19cv1100	U.S. District Court, Northern District of Illinois
Hunt	Brian	19cv1088	U.S. District Court, Northern District of Illinois
Jackson	Allen	18cv05121	U.S. District Court, Northern District of Illinois
James	Shaun	18cv05123	U.S. District Court, Northern District of Illinois
Jefferson	Goleather	18cv8182	U.S. District Court, Northern District of Illinois
Jefferson	Thomas	18cv05124	U.S. District Court, Northern District of Illinois
Johnson	Zarice	19cv3326	U.S. District Court, Northern District of Illinois
Lewis	Derrick	19cv3320	U.S. District Court, Northern District of Illinois
Lewis	Jamar	18-L-11132	Illinois Circuit Court (Cook County)
Lockett	Jesse	19-cv-7232	U.S. District Court, Northern District of Illinois
Lomax	Larry	19cv01095	U.S. District Court, Northern District of Illinois
Martin	Willie	19cv01097	U.S. District Court, Northern District of Illinois
McDaniels	Anthony	18cv5126	U.S. District Court, Northern District of Illinois
McDonald	Octayvia	19cv01101	U.S. District Court, Northern District of Illinois
McNairy	Andre	18cv05127	U.S. District Court, Northern District of Illinois
Moore	James	19cv01092	U.S. District Court, Northern District of Illinois
Ollie	George	19cv131	U.S. District Court, Northern District of Illinois

¹ Each case that is pending in the United States District Court for the Northern District of Illinois has been assigned an individual case number, and that number is listed in this chart. Each such case is also included in coordinated pretrial proceedings under Master Docket No. 19-cv-01717.

Payne	Cordero	19cv3325	U.S. District Court, Northern District of Illinois
Pearson	Mister	19cv01093	U.S. District Court, Northern District of Illinois
Powell	Bruce	17cv05156	U.S. District Court, Northern District of Illinois
Rainey	Lee	18cv05129	U.S. District Court, Northern District of Illinois
Sanders	Jamell	18cv05122	U.S. District Court, Northern District of Illinois
Saunders	Frank	18cv5125	U.S. District Court, Northern District of Illinois
Scott	Chris	18cv05128	U.S. District Court, Northern District of Illinois
Shenault Jr.	Angelo	18cv03478	U.S. District Court, Northern District of Illinois
Shenault Sr.	Angelo	18cv03477	U.S. District Court, Northern District of Illinois
Smith	Taurus	18cv05130	U.S. District Court, Northern District of Illinois
Thomas	Nephus	19cv133	U.S. District Court, Northern District of Illinois
Thomas	Henry	18cv05131	U.S. District Court, Northern District of Illinois
Thomas	Phillip	18cv05132	U.S. District Court, Northern District of Illinois
Thompson	Lapon	19cv01103	U.S. District Court, Northern District of Illinois
Waddy	Alvin	19-L-010035	Illinois Circuit Court (Cook County)
Warren	Gregory	19cv01089	U.S. District Court, Northern District of Illinois
Weekly	Isaac	19cv01104	U.S. District Court, Northern District of Illinois
White Jr.	Lionel	18cv05133	U.S. District Court, Northern District of Illinois
White Sr.	Lionel	17cv02877	U.S. District Court, Northern District of Illinois
Wilbourn	Vondell	19cv01327	U.S. District Court, Northern District of Illinois
Wilbourn	Kim	19cv03327	U.S. District Court, Northern District of Illinois
Willis	Deon	19cv01105	U.S. District Court, Northern District of Illinois
Wise	Martez	19cv01091	U.S. District Court, Northern District of Illinois